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Counsel for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO,
individually and on behalf of all similarly
situated,

Plaintiffs,

v.

GOOGLE LLC,
Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF DONALD SETH
FORTENBERY IN SUPPORT OF
GOOGLE LLC'S OPPOSITION TO
PLAINTIFFS' ADMINISTRATIVE
MOTION TO SUPPLEMENT THEIR
SANCTIONS MOTION**

Hon. Susan van Keulen, USMJ

1 I, Donald Seth Fortenbery, declare as follows:

2 1. I am an attorney with Quinn Emanuel Urquhart & Sullivan, LLP, attorneys for
3 Defendant Google LLC (“Google”) in this action. I have been admitted *pro hac vice* in this matter.
4 Dkt. 547. I make this declaration of my own personal, firsthand knowledge, and if called and
5 sworn as a witness, I could and would testify competently thereto.

6 2. I submit this declaration in support of Google’s Opposition to Plaintiffs’
7 Administrative Motion to Supplement Their Sanctions Motion.

8 3. On Monday May 16, 2022, at 9:06 a.m. PT, counsel for Plaintiffs emailed counsel
9 for Google a copy of Plaintiffs’ proposed supplement to Plaintiffs’ motion for sanctions. Counsel
10 for Plaintiffs stated that “Plaintiffs at noon PT today will file the attached two-page supplement to
11 their sanctions motion,” which was less than three hours from the time Google’s counsel first
12 received the supplement.

13 4. Counsel for Google responded to Plaintiffs email stating we were “conferring with
14 our client on Plaintiffs’ proposed supplement and will provide Google’s position by the end of the
15 day.” Counsel for Google did not receive a response to this email.

16 5. Instead, Plaintiffs filed their administrative motion as Dkt. 583 before 3:00 PM PT
17 without further conferring with Google.

18 I declare under penalty of perjury of the laws of the United States that the foregoing is true
19 and correct. Executed in Hoboken, New Jersey on May 19, 2022.

20
21 DATED: May 19, 2022

22 QUINN EMANUEL URQUHART & SULLIVAN, LLP

23 By /s/ Donald Seth Fortenbery

24 Donald Seth Fortenbery
25 Attorney for Defendant
26 Pro Hac Vice
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